

State of New Hampshire
WATER WELL BOARD



Roger B. Skillings, C.W.D. – P.I., *Water Well Contractor*
David R. Hunt, *Water Well Contractor*
Stephen R. Smith, *Pump Installer*
Richard P. Schofield, P.G., *Staff*

Steven Garside, *Technical Driller*
Rene Pelletier, P.G., *Dept. of Environmental Services*
Frederick H. Chormann, Jr., P.G., *State Geologist*
Steve Guercia, Certified Operator, *Public Member*

NH WATER WELL BOARD MINUTES

March 7, 2012

A meeting of the New Hampshire Water Well Board (“Board”) was held on March 7, 2012, at 1:00 PM, in the Department of Environmental Services Building rooms 110 and 111, 29 Hazen Drive, Concord NH, 03302.

Present were: Roger Skillings, Chairman
Brandon Kernen (for Mr. Rene Pelletier, Secretary)
Board Members: Stephen Smith, Steve Guercia, Rick Chormann, David Hunt, and Steven Garside
NH DES Staff: Richard Schofield and Genevieve Al-Egaily

Chairman Skillings brought the meeting to order at 1:06 PM. Mr. Skillings thanked the members for electing him chairman and noted that he would like to keep the meetings focused on the issues. Mr. Skillings outlined some rules of order for the Membership during his tenure as Chairman: 1) During discussions on matters before the Board, members should keep conversation to the facts; 2) On issues relating to potential violations, discussion should remain focused on the violation(s), and 3) When the Board considers the facts and merits of complaints, or other official matters before the Board, the qualified individual will be required to be present at the meeting and the qualified individual should be the person the Membership speaks with. Individual employees involved with a complaint, or other matter, will be allowed to speak, however the qualified individual will ultimately be responsible.

Proposed Administrative Rules

Mr. Chormann entered the meeting at 1:08 PM.

Individual License Fees

At the last meeting, the Board discussed possible changes to the licensing program which would give licensees the option of obtaining an individual license with a unique license number and not the license number held by the business. Rather than paying the full cost of a business license, the cost for an individual license would be reduced.

The Board discussed the merits of paying for each license and for only paying the highest fee. The Board noted that an individual license would not be a substitute for a business license and an individual would not be able to conduct business using only an individual license. They would still need to register as a business and then come to the Board to be approved for a business

license before they could conduct business. The Board also discussed the responsibilities of a person holding an individual license and if the licensee would be held responsible for any violation of the rules. The Board determined that they should discuss writing rules to address these issues at a later time.

Mr. Schofield stated that Mr. Hunt had asked him to look at the impact to the program if a flat fee of \$75 was implemented. He presented the Board with calculations showing the impact to the program of offering an individual license for \$50, for \$75, and at 50% of the cost of a business license. At \$50, a 21% increase in licenses would be required for the program to show no loss in revenue. At \$75, there would need to be a 10% increase and at 50% of current license fees the program would need a 13% increase in individual licenses.

The Board chose to move forward with the \$75 flat fee option. An additional \$75 would not be charged for each additional license type obtained once an individual held one license. Individuals would also receive a license number separate from the business license. The Board noted that the well contractor licensing program and pump installer licensing programs would still remain separate and each licensing program would include an individual license option.

We 301.03 Fees for Individuals.

(a) Individual well drillers, technical drillers, and equipment operators employed by a licensed business entity who elect to be licensed, in accordance with We 302.02, shall pay a single annual license fee of \$75 for one or more categories.

(b) Individual pump installers employed by a licensed business entity who elect to be licensed, in accordance with We 302.02, shall pay a single annual license fee of \$75 for one or more categories.

(c) There shall be an application fee of \$25 for new license applicants.

(d) There shall be an examination fee of \$10 for each license category.

Upon motion by Mr. Smith and seconded by Mr. Hunt, the Board voted to implement option three as amended for the reduced fees for individual licenses at \$75 for one or more license categories, and individual license numbers.

License Database

Mr. Schofield updated the Board on the changes that would need to be made to the database for the program to implement individual license numbers. A field for individual license number and for the qualified individual would need to be added. He noted that individual license numbers would need to be distinguishable from the business license numbers so individual license numbers will start with a letter. Qualified individuals would also be assigned a new individual license number, which would be the business license number with a letter code, and individuals working for businesses where multiple individuals hold the same license number would be assigned new numbers. The license numbering would continue sequentially from the current license numbers starting with 1873.

The Board decided that an "I" should be used to identify an individual license number from the business license number.

New Business**Biennial Renewals**

Mr. Schofield stated that most other DES licensing programs have biennial license renewals, which helps to reduce the cost to the program.

The Board decided that this would be an issue that could be looked at in the future but currently they did not want to change the licensing from annual to biannual because it would require new legislation.

Other

Mr. Schofield presented the Board with a breakdown of the costs related to the program and his time allocation for his different tasks. He also presented the Board with an estimate of the current cost per license for all licenses issued or renewed and paid licenses issued or renewed based on fiscal year 2011 program costs and time allocated to licensing related activities. Based on all 680 active licenses, the cost per license was \$31.26. When the cost was calculated using only those licenses for which there was a fee (a total of 451 licenses), the cost per license was 47.14. The difference in the number of licenses is the result of only paying the highest fee for licenses the business holds.

Fines

Mr. Skillings noted that DES has become more aggressive enforcing fines.

Mr. Kernan stated that this was because DES has come up with a more standardized process for pursuing fines.

Change of Use

Chairman Skillings stated that there could be an issue with the placement of wells on some seasonal camps with small lots if there was a change of use. Wells for seasonal camps cannot have a change of use using special methods of construction unless they are located in the approved location shown on the septic system plan. By rule the Subsurface Systems Bureau does not allow for a change of use unless the well location meets the required setbacks, or the owner can demonstrate full time use prior to January 1, 1990, and a waiver is obtain from the Subsurface Systems Bureau to encroach on the septic system. A well would be in violation of the septic system rules if the well was constructed less than 75 feet from a septic system which was approved post 1989.

Mr. Schofield stated that he would like to reconvene the well siting committee to develop some recommendation for the Board.

Old Business**Listings**

Mr. Schofield informed the Board that he had received a copy of the New Hampshire License Certified and Registered Occupations 2011 manual published by the New Hampshire

Employment Security Office and the water well contractor and pump installer licensing programs are listed.

Other

Mr. Schofield stated that he had met with some home owners in the DES lobby who were having problems with their water quality and stated that they had been getting sick from their water. The gentleman was convinced he was allergic to the diaphragm in his captive air tank and he was wondering if different captive air tanks used different materials for their diaphragms.

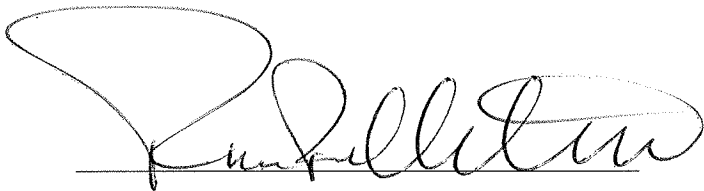
The Membership stated that they believed the manufacturers did use different materials and suggested the materials may be listed on their websites. If they were not listed, the manufacturers could be called to find out what materials they use. However the Board suggested that the problem might be bacteria in the tank. Often a tank will become water logged, sediment can collect on the bottom of the tank, or the tank could be oversized so the water is not circulating allowing bacteria to build up.

Continuing Education Credits

The Board discussed the possibility of receiving continuing education credits for attending a trade show.

Mr. Schofield stated that the rules allow credit for attendance at trade shows and suggested the Board could write into the rules the number of credits that could be given for attending if they wished.

Upon motion by Mr. Smith and seconded by Mr. Guercia, the Board voted to adjourn the meeting.

A handwritten signature in black ink, appearing to read "Rene Pelletier", written over a horizontal line.

Rene Pelletier
Water Well Board Secretary